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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 4799/2003

UOI & ANR. ..... Petitioners

Through: Ms. Pratima N. Lakra, CGSC with Ms. Vrinda Baheti and Ms. Kashish G. Baweja, Advocates.

versus

SUNDER ..... Respondent

Through:

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

O R D E R

% 01.03.2024

CM APPL. 12948/2024 –Restoration and CM APPL. 12949/2024 -Delay 156 days.

1. These are applications filed by the petitioners seeking restoration and condonation of 156 days delay in filing the restoration application of the writ petition which was dismissed in default on 28.01.2020

2. A perusal of the record shows that the petitioners had filed a similar application for restoration which came to be dismissed for non-prosecution and as the petitioner(s) remained unrepresented on a number of dates clearly showing that the petitioners have been utterly negligent in pursuing the writ petition. When faced with this position, learned counsel for the petitioners submits that just because the erstwhile counsel engaged by the petitioners did not appear when the application was listed, petitioners ought not to be

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penalized.

3. Before we deal with this submission of the learned counsel for the petitioners, we grant the petitioners 4 weeks time to file an additional affidavit clearly setting out as to what action has been taken against the erstwhile counsel for not appearing in the matter as also the communications addressed to him in this regard.

4. List on 05.07.2024.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

MARCH 1, 2024/ib

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